



## NFU Energy Privacy and cookie policy

This Policy sets out the basis on which we collect and use personal information about you as part of our activities.

We are committed to using best practice and being open and transparent with how we collect, use and protect your personal data.

This Policy:

- Provides you with details about the personal data that we collect from you when you use our website
- Explains how and why we collect and use your personal data
- Explains when and why we share personal data with other organisations
- Explains how long we hold your personal information
- Explains the rights and choices you have when it comes to your personal data

This Policy applies to you if you use our website or online applications, if you contact us or we contact you or if you use our services.

Our Websites or online applications contain links to other websites operated by other organisations. These organisations may have their own privacy and cookie policies and we do not accept responsibility or liability for these websites or online applications.

In this Policy where we use the words personal information we use these words to describe information that is about you and which identifies you. Section 2 below sets out the personal information we collect in more detail.

References to:

- **We, us or our** in this Policy means the NFU Energy entity which controls your personal information which is:
  - NFU Energy Limited, a company incorporated in England and Wales (CN 04056474) having its registered office at Agriculture House, Stoneleigh Park, Kenilworth, Warwickshire, CV8 2TZ

and includes a number of brand names under which we operate, for example

- NFU Energy/ NFU Energy Service,
- NFU Climate Change Levy (CCL) Scheme
- NFU Horticulture Climate Change Levy (CCL) Scheme
- FEC Energy
- Energy Horizon
- Sustainable Fuel Register (SFR)
- Growsave;



- **Suppliers** means the third parties whose services we broker on your behalf or signpost you to as part of a commercial arrangement with you
- **Service providers** means selected online marketing providers, technology and software providers and payment processors
- **Partner Organisations** means organisations that are owned or operated by our parent company. This is currently:
  - The National Farmers' Union (NFU)
- **Websites** means

<https://www.nfuenergy.co.uk/>

<http://ccl.fec-energy.co.uk/>

<https://www.sfregister.org/>

<http://www.growsave.co.uk/>

<http://www.fec-energy.co.uk/>

## 1. WHO IS RESPONSIBLE FOR THE PERSONAL INFORMATION THAT WE COLLECT?

1.1 For the purpose of data protection law, NFU Energy is the data controller in respect of the personal information that it collects and uses as part of our activities.

1.2 If you are providing personal information to us relating to a third party (for example relatives or dependents), you automatically confirm that you have the consent of the third party to share such personal information with us and that you have made the information in this Policy available to the third party before providing his/her personal information to us.

## 2. WHAT PERSONAL INFORMATION DO WE HOLD ABOUT YOU?

2.1 We collect personal information about a range of individuals, including our customers, prospective customers, former customers, individuals who are interested in our messages and want to engage our services. As well as other individuals who work in the same industry as us, who attend our events and/or we have contact with in the course of promoting and furthering our business aims. The personal information we hold about you and the way in which we use it will differ depending on our relationship with you. We have provided further details below.

### **Customers, former customers and prospective customers**

2.2 This section of the notice applies if you are a customer, former customer, or someone who may be interested in our business services.

2.3 We collect and use personal information about you as part of our activities. The personal information we collect includes:

#### **2.3.1 Information that you provide to us**

The information that you provide to us may include your name, postal address, email address, telephone number, mobile number, financial information, payment information, photograph, date of birth, registration numbers, insurance information and passport details. You may also provide information to us in respect of your business. This information may be provided:

- (a) In the course of communications between you and us (including face-to-face, by phone, email or otherwise)
- (b) When you fill in forms on our websites



- (c) When you register to attend our events
- (d) When you submit contracts to us
- (e) Via our social media pages, other social media content, tools and applications
- (f) When you visit our events or shows or other venues or places where we are present or actively working
- (g) When you call our helplines
- (h) When you enter competitions that we run from time to time
- (i) When you speak to our consultants, colleagues or people authorised on behalf of us to carry out work

### 2.3.2 Information we collect from you:

- (a) Technical information (to the extent that it constitutes personal information) including the IP address you use to connect your device to the Internet and the browser type, version you use on your device, your device's make, model and operating system, and mobile device identifiers).
- (b) Information about your use of the websites (to the extent that it constitutes personal information) including the full Uniform Resource Locators (URL) clickstream to, through and from our site (including date and time); products and/or services you viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page and any phone number used to call our customer service number.
- (c) Information contained in and records of communications between you and us, including emails, calls, SMS messages and letters
- (d) Information regarding your marketing preferences
- (e) Records of meetings and events you attend and recordings of telephone conversations when you call our office.
- (f) When you contact us or we contact you or you take part in online or social media promotions, competitions, surveys or questionnaires about our Services, we may collect:
  - Personal data you provide about yourself anytime you contact us about our Services (for example, your name, username and contact details), including by phone, email or post or when you speak with us through social media.
  - Details of the emails and other digital communications we send to you that you open, including any links in them that you click on.
  - Your feedback and contributions to customer surveys and questionnaires.

### 2.3.3 Information we receive from other sources:

- (a) Details from one of our Suppliers about any products or services you receive from them.
- (b) Information that we receive from governmental departments (e.g. Ofgem) or other industry bodies in respect of research or work that we are commissioned by them to carry out from time to time or in relation to work we are undertaking on your behalf.
- (c) We may also use personal data from other sources, such as our partner organisations. For example, this other personal data helps us to:
  - Review and improve the accuracy of the data we hold



- Improve and measure the effectiveness of our marketing communications, including online advertising

### **Business Contacts**

2.4 In the course of running our business we gather personal information about a number of individuals who are associated with or work for our Suppliers. This section applies to those business contacts.

2.5 We collect and use personal information about you as part of our business activities.

#### **2.5.1 Information that you provide to us:**

The information that you provide to us may include your name, postal address, email address, telephone number, and mobile number. This information may be provided:

- (a) In the course of communications between you and us (including by phone, email or otherwise)
- (b) When you register to attend our events or open days
- (c) Via our social media pages, other social media content, tools and applications

#### **2.5.2 Information we collect from you:**

- (a) Information contained in and records of communications between you and us, including emails, calls, SMS messages and letters
- (b) Information regarding your marketing preferences
- (c) Records of meetings and events you attend
- (d) Information regarding your expertise in an area of the industry in which we operate

#### **2.5.3 Information we receive from other sources:**

- (a) Information that we receive from Governmental departments (e.g. Ofgem) or similar industry bodies in respect of research or work that we may be commissioned by them to carry out.
- (b) We may also use personal data from other sources, such as our partner organisations, to review and improve the accuracy of the data we hold and to improve and measure the effectiveness of our marketing communications, including online advertising.
- (c) Information from publically available sources.
- (d) Details from companies we instruct to carry out credit checks on you or the organisation you work for in connection with the provision by us of business services to you.

### **3 HOW DO WE USE THE PERSONAL INFORMATION WE COLLECT ABOUT YOU?**

3.1 We use your personal information to carry out our activities. In particular, your personal information may be used by us, our employees, service providers, and disclosed to third parties for the purposes set out below. For each of these purposes, we have set out the legal basis on which we use your personal information, and detailed which category of personal information we use for that purpose (by reference to the paragraph numbering from earlier in this notice).

#### **Customers, Former Customers and Prospective Customers**

3.2 This section of the notice applies if you are a customer, former customer or prospective customer.

Purpose	Legal Basis	Category of personal information used for this purpose
To communicate with you and other individuals related to your business.	This is in our legitimate interests because it furthers our aims and objectives and enables us to provide our services to you. We may also communicate with you to perform any contractual obligations with you.	2.3.1 2.3.2
To manage our business.	This is in our legitimate business interest because this furthers our aims and objectives.	2.3.2 2.3.3
To carry out our obligations arising from any contracts entered into between you and us.	This is to perform our contractual obligations with you.	2.3.1 2.3.3
To carry out credit checks against you or the organisation you work for in connection with any commercial arrangement we broker on your behalf.	This is in our legitimate interest to establish if you or the organisation you work for meet the credit criteria of the Service that is being brokered.  In certain circumstances we may rely on consent to undertake these checks.	2.3.1
To manage complaints, feedback and queries from our customers	This is in our legitimate interests because it furthers our aims and objectives.	2.3.1
To develop and improve our services, product range, website, online applications and the way we communicate with you.	This is in our legitimate interests to improve and develop our operations and service offering.	2.3.1 2.3.2
To send you marketing materials about our services.	We may send you these details in accordance with any consent you have given us.	2.3.1

To send you communications as part of any commercial arrangement.	This is in our legitimate interests to provide you with routine communications to further our aims and objectives.  In certain circumstances we may rely on consent to send certain communications to you.	2.3.1
To notify you about changes to our services.	This is in our legitimate interests to further our aims and objectives.	2.3.1
To comply with any legal or regulatory obligations (including in connection with a court order).	This is necessary for us to comply with our legal obligations.	2.3.1 2.3.2 2.3.3
To promote the industry and the work that we undertake.	This is in our legitimate interests to further our aims and objectives.	2.3.1
To contact you once you cease to be a customer either by telephone, post or e-mail about our other related services that might be of interest to your business.	This is in our legitimate interests to further our aims and objectives.	2.3.1
To manage any accounts you hold with us including your login details, account history or information you send to us through our applications, contact forms (including enquiry forms, job opportunities, contact forms or registration forms).	This is in our legitimate interests because it furthers our aims and objectives and enables us to provide our services to you.	2.3.1 2.3.2
To detect and prevent fraud and cybercrime.	This is necessary for us to comply with our legal obligations and provides a more secure environment for your personal data.	2.3.1 2.3.2 2.3.3

3.3 In the course of running our business we gather personal information about a number of individuals who are associated with or work for our Suppliers. This section applies to those business contacts.

Purpose	Legal Basis	Category of personal information used for this purpose
To communicate with you and other individuals related to your business.	This is in our legitimate interests because it furthers our aims and objectives and enables us to provide our resources and services to you.  We may also communicate with you to perform any contractual obligations with you.	2.5.1 2.5.2
To manage our business.	This is in our legitimate interests because this furthers our aims and objectives.	2.5.1 2.5.2 2.5.3
To send you service communications such as our newsletter.	This is in our legitimate interests as it furthers our aims and objectives.  In certain circumstances we may rely on consent to send certain communications to you.	2.5.1 2.5.2
To promote the industry and the work that we undertake.	This is in our legitimate interests to further our aims and objectives.	2.5.1
To carry out credit checks against you or the organisation you work for in connection with any commercial arrangement we broker on behalf of our customers.	This is in our legitimate interest to establish if you or the organisation you work for will be able to provide the Service that is being brokered.  In certain circumstances we may rely on consent to undertake these checks.	2.5.1

3.4 We may be required to obtain your personal information to comply with our legal requirements, to enable us to fulfil the terms of our contract with you or in preparation of us entering into a contract with you. We will inform you of this at the time that we are obtaining your personal information from you.

#### **4 THIRD PARTY MARKETING**

- 4.1 NFU Energy does not pass any personal information to third parties for the purposes of marketing non-Energy sector related products to you.
- 4.2 Subject to any marketing preferences you provide, we may contact you from time to time with details of promotions, offers, shows and events that might be of interest to you which are offered by ourselves or our Suppliers.
- 4.3 Our email marketing provider (MailChimp) may transfer data outside of the EEA and when doing so they ensure that they have adequate levels of protection in place to comply with data protection requirements. MailChimp complies with the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks. We have signed up to MailChimp's [data processing agreement](#).
- 4.4 You may see online adverts in social media channels or through customised online marketing as a result of showing interest in our products and services. See the Cookie section (12) for more information.
- 4.5 Online advertising may be displayed on our websites and on other organisations' websites and online media channels. We may measure how well our marketing communications perform in order to ensure we send you relevant information.
- 4.6 We will ask you to provide us with your preferences to help us send you information that relates to your interests.
- 4.7 You can update your preferences or unsubscribe from email and direct mail updates via links in emails we send you or by contacting us and requesting that your preferences are changed.

#### **5. SHARING PERSONAL DATA WITH OUR SERVICE PROVIDERS**

- 5.1 In order to deliver our services to you we work with carefully selected Suppliers e.g. online marketing providers, technology and software providers and payment processors.
- 5.2 When we share personal data with our suppliers we require them to keep it safe, and they must not use your personal data for their own marketing purposes.
- 5.3 In some instances this may include working with online marketing providers who place advertising for our services or products on social media channels and other websites and online platforms.

#### **6. WHO DO WE DISCLOSE YOUR PERSONAL INFORMATION TO?**

- 6.1 We share your personal information with:
  - 6.1.1 Our Suppliers as part of a commercial arrangement agreed by you
  - 6.1.2 Government bodies (E.g. Ofgem) as required to fulfil our commercial arrangement with you
  - 6.1.3 Analytics and search engine providers that assist us in the improvement and optimisation of our websites (including Google Analytics)
  - 6.1.4 External agencies and organisations for the purpose of complying with applicable legal and regulatory obligations (including HMRC, BEIS etc.)
- 6.2 We can also disclose your personal information to other third parties, for example:
  - 6.2.1 If we are under a duty to disclose or share your personal information in order to comply with any legal obligation
  - 6.2.2 We are required to do so in order to protect ourselves against fraud





6.2.3 We sell our business or any part of our business to another company or organisation who then have the right to use your information in the same way as we have outlined in this privacy policy

6.3 We do not share your personal information with Suppliers except as necessary as part of a specific commercial arrangement that you have entered into.

6.4 We may, as part of our service to you, recommend a particular Supplier to you. We will provide you with the Supplier's contact details and the choice is for you to decide when to contact the Supplier. We will not pass your personal data to the Supplier for them to contact you.

6.5 Sharing personal data with our partner organisations:

We may share your data with the National Farmers Union (NFU) in order to better deliver our services to you. We may also use your data to inform you of our services that we provide, GrowSave, Sustainable Fuel Register, NFU Climate Change Levy Scheme. E.g. If you make an enquiry to our company and the service is better supplied by our partner organisation we will pass on your details to them to allow them to fully support you with the service you require.

6.6 We only share data to enable our partners to provide you with a better service or to ensure your enquiry is processed efficiently.

## 7. WHERE WILL WE TRANSFER YOUR PERSONAL INFORMATION?

We will process your personal information solely within the United Kingdom. Our email marketing provider (MailChimp) may transfer data outside of the EEA as part of their processes (See clause 4.3).

## 8. HOW LONG WILL WE KEEP YOUR PERSONAL INFORMATION

8.1 We will keep personal information for as long as is necessary for the purposes for which we collect it. The precise period will depend on the purpose for which we hold your information. For example where we hold personal information:

8.1.1 To comply with a legal or regulatory obligation, we will keep the information for at least as long as is required to comply with that obligation.

8.1.2 In order to provide a product or service, we will keep the information for at least as long as we provide the product or service, and for six years after your access to the product or service expires.

8.1.3 If you have an account with us we will keep your information until you delete your account. Any data which is required for statistical analysis and reporting will be anonymised.

8.1.4 If we assist you with accreditation and on-going compliance with any incentive scheme we will keep your details on record for as long as the scheme runs.

8.1.5 If you have made an enquiry, sent us your information or applied for a vacancy through our website or online application we will keep your information on our website server for up to 12 months after which it will be deleted.

8.1.6 If you have made a purchase through our website we will keep information regarding your order in line with legal requirements regarding the keeping of company records for accounting purposes. This is currently for six years.

8.2 Once your information is no longer required we will either delete or anonymise your information (remove all personal identifiable information keeping only information needed for statistical purposes). If it is not possible to delete your data (for example, because the information has been stored in backup archives), then we will securely store your information and isolate it from any further use until deletion is possible.

## 9. HOW DO WE KEEP YOUR PERSONAL INFORMATION SECURE?

- 9.1 We will use appropriate technical and organisational security measures which comply with the requirements of data protection law in order to keep your personal information secure against unauthorised or unlawful use and accidental loss, destruction or damage. We use safeguards such as data encryption when we transfer your data through our website and online applications using SSL (you see this as a padlock in your web browser and “https” in the website address).
- 9.2 We may occasionally ask for proof of identity before we share your personal data with you.
- 9.3 We require our suppliers to uphold data protection regulations and have appropriate systems and practices in place to safeguard your information.
- 9.4 Unfortunately, the transmission of information via the internet is not completely secure. Although, we will do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Site and any transmission is at your own risk. Once we have received your personal information, we will use strict procedures and security features to try to prevent unauthorised access.

## 10. YOUR RIGHTS

You have certain rights with respect to your personal information. The application of the rights will depend on certain circumstances and are subject to certain exemptions. Please see the table below for a summary of your rights. To exercise these rights please use the contact details at section 14.

Summary of your rights	
Right of access to your personal information	You have the right to receive a copy of your personal information that we hold about you, subject to certain exemptions.
Right to rectify your personal information	You have the right to ask us to correct your personal information that we hold where it is incorrect or incomplete.
Right to erasure of your personal information	You have the right to ask that your personal information be deleted in certain circumstances. For example, (i) where your personal information is no longer necessary in relation to the purposes for which they were collected or otherwise used; (ii) if you withdraw your consent and there is no other legal ground for which we rely on for the continued use of your personal information; (iii) if you object to the use of your personal information in accordance with the right to object, as set out below; (iv) if we have used your personal information unlawfully; or (v) if your personal information needs to be erased to comply with a legal obligation.

<p>Right to restrict the use of your personal information</p>	<p>You have the right to suspend our use of your personal information in certain circumstances. For example (i) where you think your personal information is inaccurate and only for such period to enable us to verify the accuracy of your personal information; (ii) the use of your personal information is unlawful and you oppose the erasure of your personal information and request that it is suspended instead; (iii) we no longer need your personal information, but your personal information is required by you for the establishment, exercise or defence of legal claims; or (iv) you have objected to the use of your personal information and we are verifying whether our grounds for the use of your personal information override your objection.</p>
<p>Right to data portability</p>	<p>You have the right to obtain your personal information in a structured, commonly used and machine-readable format and for it to be transferred to another organisation, where it is technically feasible. The right only applies where the use of your personal information is based on your consent or for the performance of a contract, and when the use of your personal information is carried out by automated (i.e. electronic) means.</p>
<p>Right to object to the use of your personal information and direct marketing</p>	<p>You have the right to object to the use of your personal information in certain circumstances. For example (i) where you have grounds relating to your particular situation and we use your personal information for our legitimate interests (or those of a third party); and (ii) if you object to the use of your personal information for direct marketing purposes.</p>
<p>Right to withdraw consent (including to direct marketing)</p>	<p>You have the right to withdraw your consent at any time where we rely on consent to use your personal information.</p>
<p>Right to complain to the relevant data protection authority</p>	<p>You have the right to complain to the relevant data protection authority where you think we have not used your personal information in accordance with data protection law. In the case of NFU Energy, this would be the Information Commissioner's Office</p>

## 11 CHANGING YOUR MARKETING PREFERENCES

You have the right to withdraw marketing consent or change your preferences. To do so please use the unsubscribe link on the particular communication you no longer wish to receive or call us on 024 7669 6512.

## 12 COOKIES

We use Cookies and similar technologies, such as tags and pixels (“Cookies”), to personalise and improve your customer experience as you use our Websites and online applications and to provide you with relevant online advertising. This section provides more information about Cookies, including how we use them and how you can exercise your choices about our use of Cookies.



### **12.1 How we use Cookies:**

Cookies are small data files that allow a website to collect and store data on your desktop computer, laptop or mobile device. Cookies help us to provide important features and functionality on our Websites and online applications, and we use them to improve your experience. If you choose to disable Cookies when using our website or online application you may find that the site does not work as well as it is designed to. For example, you may not be able to login or checkout.

### **12.2 To help our websites and online applications work well for you**

Cookies allow us to remember your preferences and whether you have visited our website, seen a notification or added an item to your shopping basket.

### **12.3 To improve how our Websites and online applications work**

Cookies can help us identify whether our site is working as it is supposed to, or if you receive an error message whilst you are using the site. These types of cookies collect anonymous aggregated data and demonstrate how well our website is performing. E.g. we may collect data on how long visitors stay on our website and how many pages they visit whilst browsing.

### **12.4 Relevant online advertising about our products or on our website**

We may use Cookies to help us show you relevant online advertising either on our website or on other organisations' websites. These types of Cookies can collect information about the website you visited before coming to our site, your IP address and the type of products or services you have been looking at online. Where we have advertised on another organisations' website you will see the AdChoices icon and you can click on this icon for guidance on how to control your online advertising preferences.

### **12.5 Tracking the performance of our online marketing activity**

These Cookies may tell us how many times you have seen an advert or visited our website before getting in contact with us. They can capture information such as your IP address, your search terms and what website you came from before you visited our website. Most of the data collected is anonymised and aggregated as statistical information about how well our advertising and website is performing. If you call us to discuss our services your call may be recorded for training purposes and complaints. Any recorded call will be deleted after the complaint has been dealt with and within 12 months. We may also use Cookies to tell us whether or not you have opened an email we have sent you from our email marketing software.

### **12.6 What can you do to control or manage what Cookies are used?**

You can control the cookies on your device through your browser settings, choosing to accept or reject new Cookies or delete existing Cookies. You can also manage whether or not you are notified when a website places Cookies on your device.

12.7 For more information about Cookies, how to manage them, reject them or delete them visit the [All About Cookies](http://www.allaboutcookies.org) (<http://www.allaboutcookies.org>) website

### **12.8 Your rights and contacting us**

You have the right to contact us and request full details of the personal information we have about you. We encourage you to keep your account information with us accurate and up to date and manage your preferences through the options provided when you are using our services.

### 13 ACCESSING YOUR DATA

If you believe your data is inaccurate or out of date you can contact us and request that it is updated. You can request that we restrict how we use you data or request that we delete your data. You can contact us to object to us using your personal data and complain to us about how we have handled your data.

### 14 CONTACTING US

If you have any queries about the way we handle your personal information, or if you would like a copy of the information we hold about you, please contact the Data Control Officer using the details below:

By e-mail:

[info@nfuenergy.co.uk](mailto:info@nfuenergy.co.uk)

(Mark for the attention of the Data Control Officer)

By post:

NFU Energy, 10<sup>th</sup> Street, Stoneleigh Park, Kenilworth,  
Warwickshire, CV8 2LS

(Mark for the attention of the Data Control Officer)

By phone:

02476 696512 and ask for the Data Control Officer

### 15 COMPLAINTS ABOUT HOW WE HAVE HANDLED YOUR DATA

If you wish to make a complaint about how we have handled your data you can also contact our Data Control Officer at the address above who will investigate your complaint. If this does not resolve your issue you can complain to the Information Commissioner’s Office (ICO).

### 16 CHANGES TO OUR PRIVACY POLICY

Any changes we make to this Privacy Policy will be posted on this page. We will inform you of the updates and where appropriate we will give reasonable notice of any changes.

In keeping with GDPR requirements, we will review and update this policy every 12 months.

This Privacy Policy was last updated on 11/02/2019.

Table of amendments

Date	Affected section	Comments
25/06/2018	All	Version 1 released
11/02/2019	All	Name changed from FEC Energy to NFU Energy